

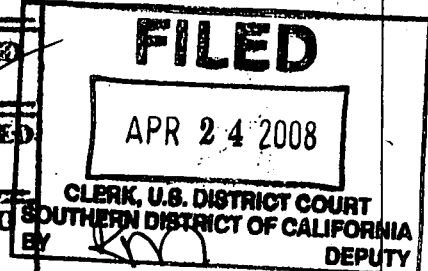
(Name) MANUEL TAMAYO TORRES JR.

(Address) PO BOX 1050

(City, State, Zip) SOLEDAD CA, 93960

(CDC Inmate No.) V12118

2254	1983
FILING FEE PAID	
Yes	No
IFP MOTION FILED	
Yes	No
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Court	Prose



United States District Court  
Southern District of California

MANUEL TAMAYO TORRES JR.  
(Enter full name of plaintiff in this action.)

Plaintiff,

v.

(CDW) MIKE EVANS

(Enter full name of each defendant in this action.)

Defendant(s).

08 CV 0761 BEN-NLS

Civil Case No. \_\_\_\_\_

(To be supplied by Court Clerk)

Complaint Under the  
Civil Rights Act  
42 U.S.C. § 1983

**A. Jurisdiction**

Jurisdiction is invoked pursuant to 28 U.S.C. § 1343(a)(3) and 42 U.S.C. § 1983. If you wish to assert jurisdiction under different or additional authority, list them below.

**B. Parties**

1. Plaintiff: This complaint alleges that the civil rights of Plaintiff, MANUEL TAMAYO TORRES JR.  
(print Plaintiff's name)  
, who presently resides at SALINAS VALLEY STATE PRISON  
(mailing address or place of confinement)  
PO BOX 1050 SOLEDAD CA, 93960  
, were violated by the actions

of the below named individuals. The actions were directed against Plaintiff at LANCASTER, CCI

TEHACHAPI, SALINAS V. S. P. P. V. S. P. on (dates) 7/06-3/07 1/08-4/07 and 11/08-7/09-9/07  
(institution/place where violation occurred) C.S.P. (Count 1) (Count 2) (Count 3)

2. Defendants: (Attach same information on additional pages if you are naming more than 4 defendants.)

17 DEFENDANTS

Defendant MR. POOL  
(name)

resides in TEHACHAPI CCI  
(County of residence)

and is employed as a CORRECTIONAL SGT.  
(defendant's position/title (if any))

. This defendant is sued in

his/her ☒ individual ☒ official capacity. (Check one or both.) Explain how this defendant was acting

under color of law: CONSPIRACY AND CORRUPTION, ORDERING CRUEL UNUSUAL PUNISHMENT DUE TO HATE OF ME HAVING HAWAIIAN BLOOD IN ME FREEDOM OF ASSOCIATION FREEDOM OF RELIGION ONE OF WHO ORDER MY ASSAULT AND TORTURE INTENTIONAL SELECTION.

Defendant MR. RIDER  
(name)

resides in TEHACHAPI CCI  
(County of residence)

and is employed as a CORRECTIONAL SGT.  
(defendant's position/title (if any))

. This defendant is sued in

his/her ☒ individual ☒ official capacity. (Check one or both.) Explain how this defendant was acting

under color of law: CONSPIRACY AND CORRUPTION CRUEL UNUSUAL PUNISHMENT ONE OF WHO ORDERED AND TOOK PART IN MY ASSAULT AND TORTURE, DUE TO ME BEING HAWAIIAN PAY BACK! FOR THEM! INTENTIONAL SELECTION.

Defendant UNKNOWN 2ND WATCH  
(name)

resides in TEHACHAPI CCI  
(County of residence)

and is employed as a CORRECTIONAL OFFICERS  
(defendant's position/title (if any))

. This defendant is sued in

his/her ☒ individual ☒ official capacity. (Check one or both.) Explain how this defendant was acting

under color of law: CONSPIRACY AND CORRUPTION TO MY ASSAULT AND TORTURE CRUEL UNUSUAL PUNISHMENT INTENTIONAL SELECTION.

Defendant MR. M. CARASSO  
(name)

resides in TEHACHAPI CCI  
(County of residence)

and is employed as a CHIEF D. OFFICER  
(defendant's position/title (if any))

. This defendant is sued in

his/her ☒ individual ☒ official capacity. (Check one or both.) Explain how this defendant was acting

under color of law: CONSPIRACY AND CORRUPTION TO CRUEL UNUSUAL PUNISHMENT ABSTRUCTION OF JUSTICE COVER FOR C/O'S THAT ASSAULTED ME DUE TO HATE INTENTIONAL SELECTION.

Defendant MR. T. RHODES

(name)

resides in LAC. LANCASTER

(County of residence)

and is employed as a COUNSELOR

(defendant's position/title (if any))

This defendant is sued in

his/her ☒ individual ☒ official capacity. (Check one or both.) Explain how this defendant was acting

BREAKING THE RIGHT OF AFFILIATION TO MY OWN PEOPLE. FALSIFYING MY C-FILE AND RECORD, HOLDING ME TO THE MEXICAN RACE, PUTTING MY LIFE IN DANGER AND STEALING MY BIRTH CERTIFICATE AFTER MAILED IN FOR CHANGE OF ETHNICITY, CONSPIRACY AND CORRUPTION DUE TO LAST NAME

Defendant MR. V. POWERS

(name)

resides in LAC. LANCASTER

(County of residence)

and is employed as a CCI RECORDER

(defendant's position/title (if any))

This defendant is sued in

his/her ☐ individual ☒ official capacity. (Check one or both.) Explain how this defendant was acting

CONSPIRACY AND CORRUPTION OF FALSIFYING MY RECORD UNDER S 3021 UNDER TITLE IS. IDENTITY, HATE CRIME DUE TO MY LAST NAME TORRES. ABSTRACTING JUSTICE DUE TO HATE OF A EUROPEAN LAST NAME FROM SPAIN. SAYING ITS A SUR LAST NAME, CRUEL AND UNUSUAL PUNISHMENT, FREEDOM OF ASSOCIATION FREEDOM OF RELIGION

Defendant MR. ROSE

(name)

resides in CCI. TEHACHAPI

(County of residence)

and is employed as a COUNSELOR

(defendant's position/title (if any))

This defendant is sued in

his/her ☒ individual ☒ official capacity. (Check one or both.) Explain how this defendant was acting

FALSIFYING MY IDENTITY WITH CONSPIRACY DUE TO LAST NAME CORRUPTION OF HATE, ABSTRUCTION OF JUSTICE SAYING I WOULD NEVER CALL WHITE. HATE TO ME SPEAKING SPANISH, CRUEL AND UNUSUAL PUNISHMENT, FREEDOM OF ASSOCIATION, FREEDOM OF RELIGION.

Defendant MR. PARTIDA

(name)

resides in SAN JUAN V.S.P. SOLEDAD

(County of residence)

and is employed as a COUNSELOR

(defendant's position/title (if any))

This defendant is sued in

his/her ☒ individual ☒ official capacity. (Check one or both.) Explain how this defendant was acting

FALSIFYING MY RECORD OF BEING WHITE HOLDING ME TO MEXICAN CAUSE I SPEAK SPANISH, CONSPIRACY OF HATE MY LAST NAME, CORRUPTION BEING AFFILIATED WITH CDC SCAM. VERBAL UNDERSTANDING MY LICENSE SAYS HISPANIC MEANING LATIN AMERICAN OR PORTO RICAN WHICH IS "OTHER" BUT WILL NOT CHANGE ME TO OTHER, IM WHITE. CRUEL AND UNUSUAL PUNISHMENT, FREEDOM OF ASSOCIATION FREEDOM OF RELIGION.

Defendant DR. SALAZAR resides in COALINGA  
(name) (County of residence)  
and is employed as a M.D DOCTOR . This defendant is sued in  
(defendant's position/title (if any))

his/her ☒ individual ☒ official capacity. (Check one or both.) Explain how this defendant was acting  
under color of law: INTENTIONAL SELECTION DUE TO COLOR AND RACE.  
CONSPIRACY AND CORRUPTION CRUEL AND UNUSUAL  
PUNISHMENT WITH PHARMACEUTICALS, PREMEDITATED ATTEMPTED  
MANSLAUGHTER, ASSAULT, ASSAULT WITH FORCE WITH THE GREAT  
BODILY INJURY ALL WITH "GRISOFULVIN" 500MGs. 4TH  
AMMENDMENT RIGHT VIOLATED. MEDICAL CARE.

Defendant UNKNOWN resides in TEHACHAPI  
(name) (County of residence)  
and is employed as a PSYCHIATRIC  
MEDICAL DOCTOR M.D PH.D . This defendant is sued in  
(defendant's position/title (if any))

his/her ☒ individual ☒ official capacity. (Check one or both.) Explain how this defendant was acting  
under color of law: INTENTIONAL SELECTION DUE TO COLOR AND RACE  
CONSPIRACY AND CORRUPTION CRUEL AND UNUSUAL  
PUNISHMENT WITH PHARMACEUTICALS "BUSPIRONE" ASSAULT, ASSAULT  
WITH FORCE WITH GREAT BODILY INJURY, CORRUPTION OF MEDICAL CARE  
4TH AMMENDMENT RIGHT VIOLATED,

Defendant \_\_\_\_\_ resides in \_\_\_\_\_  
(name) (County of residence)  
and is employed as a \_\_\_\_\_ . This defendant is sued in  
(defendant's position/title (if any))

his/her ☐ individual ☐ official capacity. (Check one or both.) Explain how this defendant was acting  
under color of law:

Defendant \_\_\_\_\_ resides in \_\_\_\_\_  
(name) (County of residence)  
and is employed as a \_\_\_\_\_ . This defendant is sued in  
(defendant's position/title (if any))

his/her ☐ individual ☐ official capacity. (Check one or both.) Explain how this defendant was acting  
under color of law:

DEFENDANT MR. K. SAMPSON CCI. RESIDES IN TEHACHA PI  
AND IS EMPLOYED AS A COORDINATOR. THIS DEFENDANT IS SUED IN  
HIS/HER ~~INDIVIDUAL~~ ~~OFFICIAL~~ CAPACITY. EXPLAIN HOW THIS DEFENDANT WAS ACTING  
UNDER COLOR OF LAW: FALSIFYING MY IDENTITY WITH CONSPIRACY DUE TO LAST NAME  
CORRUPTION OF HATE, ABSTRACTION OF JUSTICE SAYING I WOULD NOT CELL WHITE. HATE  
TO SPEAKING SPANISH, CRUEL AND UNUSUAL PUNISHMENT, FREEDOM OF ASSOCIATION,  
FREEDOM OF RELIGION.  
DEFENDANT M. CARASSCO  
AND IS EMPLOYED AS A CDO  
HIS/HER ~~INDIVIDUAL~~ ~~OFFICIAL~~ CAPACITY. EXPLAIN HOW THIS DEFENDANT WAS ACTING  
UNDER COLOR OF LAW: FALSIFYING MY IDENTITY WITH CONSPIRACY DUE TO LAST NAME  
CORRUPTION OF HATE, ABSTRACTION OF JUSTICE SAYING I WOULD NOT CELL WHITE. CRUEL  
AND UNUSUAL PUNISHMENT, FREEDOM OF ASSOCIATION, FREEDOM OF RELIGION. COVERING MESS  
UP FOR CIO AND COUNSELORS.  
DEFENDANT MR COVEY  
AND IS EMPLOYED AS A COUNSELOR  
HIS/HER ~~INDIVIDUAL~~ ~~OFFICIAL~~ CAPACITY EXPLAIN HOW THIS DEFENDANT WAS ACTING  
UNDER COLOR OF LAW: CONSPIRACY AND CORRUPTION FALSIFYING RECORD AND C-FILE  
REFUSING TO PUT ME DOWN AS WHITE.

4/6/08 Mubt 7:57.

- ⑤ DEFENDANT, MR SNYDER RESIDES IN TEHACHAPI AND IS EMPLOYED AS A CORRECTIONAL OFFICER THIS DEFENDANT IS SUED IN HIS/HER ~~INDIVIDUAL~~ ~~OFFICIAL~~ CAPACITY. EXPLAIN HOW THIS DEFENDANT WAS ACTING UNDER THE COLOR OF LAW: INTENTIONAL SELECTION CONSPIRACY AND CORRUPTION, CRUEL UNUSUAL PUNISHMENT TO HATE ASSAULT WITH FORCE, ASSAULT WITH FORCE AND GREAT BODILY INJURY.
- ⑥ DEFENDANT PIERCE RESIDES IN TEHACHAPI AND IS EMPLOYED AS A CORRECTIONAL OFFICER THIS DEFENDANT IS SUED IN HIS/HER ~~INDIVIDUAL~~ ~~OFFICIAL~~ CAPACITY EXPLAIN HOW THIS DEFENDANT WAS ACTING UNDER COLOR OF LAW: CONSPIRACY AND CORRUPTION INTENTIONAL SELECTION ROBBERY - PETTY THEFT.
- ⑦ DEFENDANT MR. ROBINSON RESIDES IN TEHACHAPI AND HE IS EMPLOYED AS A R&R CORRECTIONAL OFFICER THIS DEFENDANT IS SUED IN HIS/HER ~~INDIVIDUAL~~ ~~OFFICIAL~~ CAPACITY EXPLAIN HOW THIS DEFENDANT WAS ACTING UNDER COLOR OF LAW: CONSPIRACY AND CORRUPTION INTENTIONAL SELECTION ROBBERY - PETTY THEFT.

4/6/08 m. p. y. h. s. t.

DEFENDANT MR. RYAN RESIDES IN IMPERIAL VALLEY C.S.P. AND IS EMPLOYED AS A CORRECTIONAL OFFICER. THE DEFENDANT IS SUED IN HIS/HER ~~INDIVIDUAL~~ ☐ OFFICIAL CAPACITY. EXPLAIN HOW THIS DEFENDANT WAS ACTING UNDER COLOR OF LAW: CORRUPTION AND CONSPIRACY, THEFT, PETTY THEFT, ROBBERY. \$99.00

DEFENDANT MR. STEVENSON RESIDES IN IMPERIAL VALLEY C.S.P. AND IS EMPLOYED AS A CORRECTIONAL OFFICER. THE DEFENDANT IS SUED IN HIS/HER ☐ INDIVIDUAL ~~OFFICIAL~~ CAPACITY. EXPLAIN HOW THIS DEFENDANT WAS ACTING UNDER COLOR OF LAW: CORRUPTION AND CONSPIRACY, THEFT, PETTY THEFT, ROBBERY. \$99.00

4/6/08 M. J. [Signature]



**C. Causes of Action** (You may attach additional pages alleging other causes of action and the facts supporting them if necessary.)

**Count 1:** The following civil right has been violated: **CRUEL AND UNUSUAL PUNISHMENT, RIGHT TO MEDICAL SERVICE.** (E.g., right to medical care, access to courts,

due process, free speech, freedom of religion, freedom of association, freedom from cruel and unusual punishment, etc.)

**Supporting Facts:** [Include all facts you consider important to Count 1. State what happened clearly and in your own words. You need not cite legal authority or argument. Be certain to describe exactly what each defendant, by name, did to violate the right alleged in Count 1.]

ON THE MONTH OF JULY OF 2004 DR. SALAZAR TO BLOOD TO RUN A TEST ON MY LIVER BEING NORMAL AT 41% PERCENT. DR. SALAZAR STARTED ME ON GRISIOFULVIN 500 MGS. FOR FUNGUAL DISORDERS DR. SALAZAR KEEP TAKING BLOOD AS I TOOK THE PILL A LOT OF BLOOD. MY THIRD TIME IN DR. SALAZAR HAD TIERS IN HER EYES BUT SHE KEEP ON GIVING ME THE PILLS. SHE KNEW SHE WAS BREAKING THE LAW MEDICAL MAL-PRACTICE THIS IS NO MISTAKE I WAS A LABRATORY EXPERIMENT, I WANT ALL MY BLOOD COLLECTED FROM CDC, WHAT ARE THEY USING IT FOR. MY TEMPRAIL ARTBERRY TO THE BRAIN DIDNT BURST BUT IT COULD OF. THE PAIN I WENT THROUGH TOOK ME TO THE GROUND, THE DISCHARGE OF ALL THE BLOOD, MY NOISE WAS TEARING APART FOR MONTHS. THE PROBLEMS STARTED AFTER A SMALL PERIOD OF TIME, IT PUT ME IN A STATE OF SHOCK AND STILL AM. MY BODY PARTS HAVE BEEN TAKEN OVER BY THIS PILL MY NERVES ARE ALOUT, I WENT TRIPLE CMS DUE TO THIS. MY TOENAILS ARE UGLYIER I GREW HOLES IN MY FINGER NAILS THE GRISIOFULVIN 500MGS IS EATING ME ALIVE, I IMAGINE THE HOLES THIS PILL IS PUTTING IN MY BRAIN, MY TALKING PERFORMANCE IS TERRIBLE I CANT TALK EVERYTHING IS INFECTED FROM MY HEART TO THE LUNGS MY KIDNEYS. THE 75,000 MGS GAVE ME A SICK LIVER IT WENT UP BY 4 PERCENT TO 42% PERCENT ITS HARD FOR ME TO WRITE. I HAVE NO MEDICAL SERVICE THEY COVER SAYING I GOT CHOLESTROL I DONT, ALL DOCTORS ARE ORIENTAL I NEED SURGERY I ALSO NEED REMOVAL OF MY NAILS. PLEASANT VALLEY STATE PRISON. THIS IS TORTURE AT TIME MY FEVER GOES UP DUE TO ALL THE PAIN, IM BEING CONSTRUCTED ON I CANT EAT MUCH I WAS FORCED BY THE PAIN TO BE ESCORTED TO MEDICAL ON A WHEELCHAIR. I GOT NO SERVICE IT DOES TAKE THE PAIN OFF MY BACK PAIN EVERYWHERE THEY WANTED MY TO HAVE A HEART ATTACK ARITHMIA. I HAVE HEART ATTACKS ALL DAY, THESE PEOPLE KNOW IM VERY TOLERENT TO THE PAIN. IVE GOT NO OTHER OPTION NEXT TO DEATH.



**C. Causes of Action** (You may attach additional pages alleging other causes of action and the facts supporting them if necessary.)

**Count 1:** The following civil right has been violated: FREEDOM OF ASSOCIATION, FREEDOM OF RELIGION, CRUEL AND UNUSUAL PUNISHMENT (E.g., right to medical care, access to courts,

due process, free speech, freedom of religion, freedom of association, freedom from cruel and unusual punishment, etc.)

**Supporting Facts:** [Include all facts you consider important to Count 1. State what happened clearly and in your own words. You need not cite legal authority or argument. Be certain to describe exactly what each defendant, by

name, did to violate the right alleged in Count 1.] ON 7/9/06 I WAS REJECTED FROM MY OWN RIGHT MY BIRTHRIGHT OF BEING WHITE BY COUNSELOR MR. T. RHODES OF LANDCASTER. I WAS TOLD TO HAVE MY BIRTH CERTIFICATE MAILED IN TO HAVE MY ETHNICITY CHANGED FROM MEXICAN TO WHITE DUE TO RACIAL PROBLEMS WITH MEXICANS. I WAS ATTACKED IN THE HOLE BY MEXICANS ITS ON CAMERA AS I TOLD THEM THEY STILL THREW ME OUT THERE WITH THE MEXICANS. MR. RHODES LIED TO ME HE ONLY GAVE ME WHITE CHRONO THAT WOULD GIVE ME MORE PROBLEM WITH MEXICANS MY BIRTH MY BIRTH FILE NEEDS TO BE CHANGED TO WHITE PERIOD. I WANT THE COURT IM REQUESTING THAT I IDENTIFIED BY BLOOD UNDER §3025 ARTICLE IS DNA- AND FORENSIC IDENTIFICATION STATES CDC IDENTIFY YOU BY THE DEPARTMENT OF JUSTICE D.N.A AND FORENSIC IDENTIFICATION DATA BASE AND DATA BANK PROGRAM UPON RECEIVING MY CIVIL SUIT THE COURT GOT A COUPLET OF DAYS TO COLLECT MY D.N.A MY BLOOD SPECIMENS AND OR BIOLOGICAL SAMPLES IF NEEDED. MY BIRTH CERTIFICATE ONLY STATES MY NAME MANUEL TAMAYO TORRES JR. MOTHER AND FATHER THEIR PLACE OF BIRTH UNDER ETHNICITY IS BLANK WITH FOUR LINES ETHNICITY -- NO COLOR OR RACE I NEED THAT CORRECTED TO WHITE OVER WHITE THE NAME MANUEL TAMAYO IS NOT MINE THE FATHER TITLE SHOULD BE CORRECTED IM BEING HELD TO MEXICAN IM CAUCASIAN WHITE SOMEONE OF LANDCASTER STOLE MY BIRTH CERTIFICATE AND CALLED INS ON ME I SHOWED A COPY OF MY CERTIFICATE. MR. V POWERS OF LANDCASTER HELD ME TO MEXICAN AS WELL DUE TO MY LAST NAME SUR NAME TORRES. THEY SAY I WOULDNT BE CHANGED TO WHITE THE BIG CONSPIRACY. I DID ALL ASKED OF ME WITHOUT QUESTION, I GET LIED TO AS A RESULT OF FOLLOWING INSTRUCTIONS EVERYONE HAD SOMETHING TO SAY ABOUT MY LAST NAME ITS EUROPEAN FROM SPAIN. NOT MEXICO MR. POWERS IS POSSIBLE SUSPECT OF STOLEN BIRTH CERTIFICATE THEY COULD STEAL MY IDENTITY AND LIFE, COPIES WERE PROBABLY MADE.

ON 11/07, I WAS TRANSFERRED TO CCI TEHACHAPI THE SUBJECT STATED THAT I WOULD NEVER SEE WHITE THIS COUNSELOR MR. ROSE INTENTIONAL SELECTION IS BEING MADE WITH THE MATE CRIMES. MR. ROSE ASKED WHY MY LAST NAME WAS TORRES WITH LOTS OF LAUGHTER IN HER VOICE. IM BEING FORCED TO CCI WITH MEXICANS IVE LOST 11 MONTHS ON PROTECTING MYSELF MY FILE AND RECORD MUST BE CHANGED TO WHITE PEOPLE GOT OPPORTUNITY TO ME AND THE BLACKS AND MEXICANS TAKE IT.

ON 11/07, I ARRIVED AT SAINTAS N.S.P I TOLD THEM I WAS WHITE THEY REFUSED TO COMPLY WITH MY RIGHTS OF A PERSON COUNSELOR MR. PARTIDA REFUSED TO CHANGE ME FROM MEXICAN TO WHITE WE CAME TO A VERBAL UNDERSTANDING THAT I SHOULD BE "OTHER" BUT ONLY FOR THE MEAN TIME TILL SHE REFUSED SAYING SHE'S KEEPING ME TO MEXICAN SHE GETS SERVED EVERYDAY ANYWAYS. IF IM NOT CHANGED A.S.A.P. UNDER §3025, 5 DAYS ARE GIVEN TO PICK UP BLOOD SAMPLE FOR D.N.A. BY COURT. BIRTH CERTIFICATE MUST BE FIXED TO WHITE FOR WHITE, GRANDFATHERS NAME IS JOHN TORRES I WANT MINE CHANGED TO JOHN TORRY OCEANS. JOHN TORRY!!

(JOHN TORRY OCEANS.)

**C. Causes of Action** (You may attach additional pages alleging other causes of action and the facts supporting them if necessary.)

Count 1: The following civil right has been violated: CRUEL PUNISHMENT, FREEDOM TO RELIGION, FREEDOM TO ASSOCIATION (E.g., right to medical care, access to courts,

due process, free speech, freedom of religion, freedom of association, freedom from cruel and unusual punishment, etc.)

Supporting Facts: [Include all facts you consider important to Count 1. State what happened clearly and in your own words. You need not cite legal authority or argument. Be certain to describe exactly what each defendant, by name, did to violate the right alleged in Count 1.]

C/O STAFF 2ND WATCH 3/23/07 CAME TO MY ROOM WITH SGT. EILER AND SGT. POOL IN CHARGE SUITED UP WITH GEAR. I WAS ASLEEP, AFTER I CUFFED UP I WENT TO THE FLOOR, THE C/O STAFF CUFFED ME BY THE ANKLES. CALLING ME A MOTHER F. WORD PULLED ME OUT BY THE HAIR DRAGED ME TO THE HALL WAY. ALL STAFF ASSAULTED ME CLOSED FIST TO THE SIDE OF THE EYES. MY SHIRT WAS LIFTED OVER MY HEAD, SLAMMED TO THE WALL PULLED AND LIFTED. CURSED AT THE HOLE TIME, THE SHACKLES WHEIR PULLED DOWN SLOWLY WHILE LIFTED OVER AND OVER. THIS WENT ON FOR OVER FIVE MINUTES, ONE RELATIVE HEARD THE HOLE THING WHILE THEIR, THE SCREAMS. C/O'S STOPPED TOOK ME TO A CAGE SGT. EILER MADE A THREAT QUOTE HE WAS GOING TO TELL EVERYONE THAT I MADE A THREAT AGAINST HIS LIFE. 30 AND 60 DAYS BEFORE THIS 2 INCIDENTS HAPPENED IN HAWAII JANUARY AND FEBRUARY 2007. SGT. POOL MADE MANY COMMENTS ASKING IF I WAS HAWAIIAN.

SAME DAY 3/23/07, I WAS ASSAULTED AGAIN COMING BACK FROM THE SHOWER. C/O SNYDER STRUCK ME TO THE BACK OF THE NECK MY SPINALCORD I ALMOST FELL I WAS CUFFED.

(C/O) M. CARASSO COVERED MY 602 APPEAL SAYING IT NEVER HAPPENED. I WAS PARALYZED 6 DAYS.

ON 4/4/07 C/O PEIRCE AND ANOTHER CAME IN MY CELL AND TOOK MY PROPERTY TOOTH PASTE #2:15.

11/07 MY THERMAL TOP WAS TAKEN \$7.50 OR SO. C/O MR. ROBINSON IS IN CHARGE OF R&R, WHEN I TRANSFERED MY SHOES WHITE NIKES WHEIR MISSING \$60.00 AND MY PACKAGE WORTH \$99.00 WAS MISSING FOR JANUARY-MARCH 2007. STILL MISSING \$99.00 IN COSMETICS ALONE THAT GO ON MR. 110 STEVENSON VIA CENTINELA OR MR. C/O ROBINSON OF CCI.

Count 2: The following civil right has been violated: CRUEL AND UNUSUAL PUNISHMENT  
RIGHT TO MEDICAL SERVICE (E.g., right to medical care, access to courts,

due process, free speech, freedom of religion, freedom of association, freedom from cruel and unusual punishment, etc.)

Supporting Facts: [Include all facts you consider important to Count 2. State what happened clearly and in your own words. You need not cite legal authority or argument. Be certain to describe exactly what each defendant, by name, did to violate the right alleged in Count 2.] SEPTEMBER OF 2007 I WENT TO TALK TO THE DOCTOR DESCRIBING PSYCHOLOGY PILLS, IT WAS A ORIENTAL LADY SHE INSISTED THAT I TAKE "BUSPIRONE" I SEE WHY DOCTORS TRIED IT ONCE IT WASNT FILED TO THE COURT FOR SUITS BUT I DID FILE 602 FORMS THEY COVERED IT OVER AND OVER AND LIED MORE TO COVER MORE LIES. THIS M.D. DOCTOR OF TEHACHAPI STARTED SCRATCHING HERSELF WENT SHE WENT DOWN TO WRITE BUSPIRONE. SHE WAS USING ME ONCE AGAIN AS A LAB EXPERIMENT PSYCHOLOGY MAL-PRACTICE THIS PILL IS CAUSING MUCH PAIN "BIRTH CONTROL" THAT WHAT BUSPIRONE IS FOR GIRLS. I CANT EAT IT MADE MY HEALTH ISSUES IMPOSSIBLE THE PAIN MY KIDNEYS TEAR APART MY STOMACK IN FLAITS IF I EAT, IT IS BY FAR THE WORST TORTUREOUS PAIN IVE EVER FELT. THE PAIN CAUSES FEVER IF I EAT I NEED SURGERY THEIRS NO OTHER WAY. I GET NO SERVICE THEIR ALL TOGETHER !

Count 3: The following civil right has been violated:

(E.g., right to medical care, access to courts,

Count 2: The following civil right has been violated: CRUEL PUNISHMENT, RIGHT TO MEDICAL SERVICE  
(E.g., right to medical care, access to courts,

due process, free speech, freedom of religion, freedom of association, freedom from cruel and unusual punishment, etc.)

Supporting Facts: [Include all facts you consider important to Count 2. State what happened clearly and in your own words. You need not cite legal authority or argument. Be certain to describe exactly what each defendant, by name, did to violate the right alleged in Count 2.] MY RIGHT SIDE OF MY RIBS CAGE WAS X-RAYED OVER AT CCI TEHACHAPI THEY WERE COMPLETELY BLURRY TO THIS DAY I GET A CRUEL SHARP PAIN ON THAT VERY SIDE. THESE COUNSELORS GET ME OFF THE YARD EVERY GIVEN CHANCE. COUNSELOR MR. ROSE ALONG WITH COORDINATOR OF APPEALS GOT ME OFF THE YARD AFTER THREATENING ME OVER PHONE, IF I APPEALED MY ETHNICITY ONE MORE TIME I WAS GOING TO THE HOE I STILL WENT. MR. K. SAMPSON CALIFORNIA COR. INS. 3/13/07. I WAS ALSO TOLD THE PAROLE DEPARTMENT OR OFFICER WAS PLAYING A ROLL IN THIS I WAS TOLD (CDO) OF SACRAMENTO THE PAROLE OFFICER DETERMINES WHAT COLOR I AM IN HERE, ABSERD!

Count 3: The following civil right has been violated:

(E.g., right to medical care, access to courts,

due process, free speech, freedom of religion, freedom of association, freedom from cruel and unusual punishment, etc.)

**Supporting Facts:** [Include all facts you consider important to Count 3. State what happened clearly and in your own words. You need not cite legal authority or argument. Be certain to describe exactly what each defendant, *by name*, did to violate the right alleged in Count 3.]

**D. Previous Lawsuits and Administrative Relief**

1. Have you filed other lawsuits in state or federal courts dealing with the same or similar facts involved in this case? ☒ Yes ☐ No.

If your answer is "Yes", describe each suit in the space below. [If more than one, attach additional pages providing the same information as below.]

(a) Parties to the previous lawsuit:

Plaintiffs: MANUEL TAMAYO TORRES JR.

Defendants: (CDW) MIKE EVANS, MARVIN SNYDER, LOBEWINGER, GRANILLO, BLANKENSHIM

(b) Name of the court and docket number: UNITED STATES DISTRICT COURT EASTERN

DISTRICT FRESNO (CALIFORNIA) # 1:08-CV-00428-AWI-GSA (PC)

(c) Disposition: [For example, was the case dismissed, appealed, or still pending?] STILL PENDING

(d) Issues raised:

CRUEL AND UNUSUAL PUNISHMENT, CONSPIRACY WITH CORRUPTION  
TO CAUSE DEATH BY FINISHING A JOB DONE WITH PHARMACEUTICALS

(e) Approximate date case was filed: 3/6/08

(f) Approximate date of disposition: STILL PENDING

2. Have you previously sought and exhausted all forms of informal or formal relief from the proper administrative officials regarding the acts alleged in Part C above? [E.g., CDC Inmate/Parolee Appeal Form 602, etc.] ? ☒ Yes ☐ No.

If your answer is "Yes", briefly describe how relief was sought and the results. If your answer is "No", briefly explain why administrative relief was not sought. SOMETHING IS ALWAYS DONE CDC ALWAYS COVERS IT UP!



**E. Request for Relief**

Plaintiff requests that this Court grant the following relief: OF \$ 350.00 FILING FEE

1. An injunction preventing defendant(s): (CDW) MIKE EVANS  
T. RHODES  
V. POWERS  
MR. ROSE  
MR. PARTIDA  
MR. K. SAMPSON  
MR. M. CARRASCO  
MR. LOUEY  
MR. POUL  
MR. EILER  
CD STAFF 2ND WATCH  
CD SNYDER  
MR. PIERCE  
MR. ROBINSON  
DR. SALAZAR  
MD. DOCTOR ? NAME  
MR. RYAN  
MR. STEVENSON
2. Damages in the sum of \$ 278.60 ~~169.60~~
3. Punitive damages in the sum of \$
4. Other: PHYSICAL DAMAGE  
MENTAL DAMAGE

**F. Demand for Jury Trial**

Plaintiff demands a trial by ☐ Jury ☒ Court. (Choose one.)

**G. Consent to Magistrate Judge Jurisdiction**

In order to insure the just, speedy and inexpensive determination of Section 1983 Prisoner cases filed in this district, the Court has adopted a case assignment involving direct assignment of these cases to magistrate judges to conduct all proceedings including jury or bench trial and the entry of final judgment on consent of all the parties under 28 U.S.C. § 636(c), thus waiving the right to proceed before a district judge. The parties are free to withhold consent without adverse substantive consequences.

The Court encourages parties to utilize this efficient and expeditious program for case resolution due to the trial judge quality of the magistrate judges and to maximize access to the court system in a district where the criminal case loads severely limits the availability of the district judges for trial of civil cases. Consent to a magistrate judge will likely result in an earlier trial date. If you request that a district judge be designated to decide dispositive motions and try your case, a magistrate judge will nevertheless hear and decide all non-dispositive motions and will hear and issue a recommendation to the district judge as to all dispositive motions.

You may consent to have a magistrate judge conduct any and all further proceedings in this case, including trial, and the entry of final judgment by indicating your consent below.

Choose only one of the following:

☐ Plaintiff consents to magistrate judge jurisdiction as set forth above.

OR

☒ Plaintiff requests that a district judge be designated to decide dispositive matters and trial in this case.

I declare under the penalty of perjury that the foregoing is true and correct.

Date

4/6/08

Signature of Plaintiff

*[Handwritten Signature]*



JS44

(Rev. 07/89)

## CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE SECOND PAGE OF THIS FORM.)

## I (a) PLAINTIFFS

Manuel Tamayo Torres, Jr

Mike Evans

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF Monterey  
(EXCEPT IN U.S. PLAINTIFF CASES)

**FILING FEE PAID**  
DEFENDANTS  
Yes ☒ No ☐

**IF MOTION FILED**  
Yes ☒ No ☐

**COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT**  
COPIES OF U.S. PLAINTIFF CASES ONLY  
Court ☒ Probate ☐

**FILED**  
APR 24 2008  
CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY *[Signature]* DEPUTY

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Manuel Tamayo Torres, Jr  
PO Box 1050  
Soledad, CA 93960  
V-12118

ATTORNEYS (IF KNOWN)

**'08 CV 0761 BEN-NLS**

## II. BASIS OF JURISDICTION (PLACE AN X IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question  
(U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN X IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- (For Diversity Cases Only)
- |                            |                            |                            |                            |
|----------------------------|----------------------------|----------------------------|----------------------------|
| PT                         | DEF                        | PT                         | DEF                        |
| <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |
- Citizen of This State  
Incorporated or Principal Place of Business in This State  
Citizen of Another State  
Incorporated and Principal Place of Business in Another State  
Citizen or Subject of a Foreign Country  
Foreign Nation

## IV. CAUSE OF ACTION (CITE THE US CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY).

**42 U.S.C. 1983**

## V. NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> Marine <input type="checkbox"/> Miller Act <input type="checkbox"/> Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veterans Benefits <input type="checkbox"/> 160 Stockholders Suits <input type="checkbox"/> Other Contract <input type="checkbox"/> 195 Contract Product Liability	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury-Medical Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 RR & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. <input type="checkbox"/> Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (13958) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(e)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reappointment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State <input type="checkbox"/> 890 Other Statutory Actions
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Tort to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input checked="" type="checkbox"/> 550 Civil Rights			

## VI. ORIGIN (PLACE AN X IN ONE BOX ONLY)

- ☒ 1 Original Proceeding ☐ 2 Removal from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER f.r.c.p. 23

DEMAND \$

Check YES only if demanded in complaint:

JURY DEMAND: ☐ YES ☐ NO

## VIII. RELATED CASE(S) IF ANY (See Instructions): JUDGE

Docket Number

DATE 4/24/2008

SIGNATURE OF ATTORNEY OF RECORD

*Rmully*